

### **REMARKS/ARGUMENTS**

Claims 1, 10-12, 14 and 15 are pending in the present application. In the Office Action mailed April 20, 2005, the Examiner maintained the allowance of claim 1. Applicants thank the Examiner for the allowance of claim 1.

At the same time, the Office Action also rejected claims 10-12, 14 and 15 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,909,215 to Berstis *et al.* (hereinafter "Berstis"). However, in light of the present claim amendments as well as the following remarks, reconsideration and allowance of the pending claims is respectfully requested.

#### **I. Claims 10-12, 14 and 15 Rejected Under 35 U.S.C. § 102(b)**

As noted above, the Examiner rejected claims 10-12, 14 and 15 under 35 U.S.C. § 102(b) as being anticipated by Berstis. This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicants respectfully submit that the claims at issue are patentably distinct from Berstis. Specifically, as a result of this paper, claims 10-12, 14, and 15 have been amended to recite that "all of the messages sent from an operating system to a display" are intercepted and that the messages are then searched to "detect[] a first error message in one or more of the messages." Support for the claim amendments can be found throughout Applicants' specification, including, for example, p. 13, lines 4-9.

Berstis does not disclose these claim limitations. Rather, Berstis discloses a system in which the messages that are sent from the operating system are housed in a message queue so that they may be processed in the order in which they are received. However, while in the queue, the messages are searched in order to determine “whether the message will generate a visible error message.” Berstis, Col, 2, lines 10-11. Then, if an error message is found, that particular message will be “intercepted by the message handling process.” *Id.* at 12-13. Once intercepted, Berstis’ system may then re-format/replace the message with a new message that does not require the user to press any buttons or take any action. *See e.g.*, Berstis, Col, 8, lines 25-50.<sup>1</sup>

Thus, to the extent that Berstis’ system intercepts messages sent from the operating system to the display, Berstis’ system only intercepts messages that are known to be error messages. Berstis does not intercept all of the messages sent by the operating system to the display, as is required by claims 10-12, 14, and 15. Accordingly, because Berstis does not disclose this claim limitation, this reference does not, as a matter of law, anticipate these claims under 35 U.S.C. § 102(b). Withdrawal of this rejection is respectfully requested.

## **II. Conclusion**

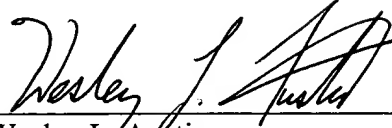
Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

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<sup>1</sup> *See also* Berstis, Col, 7, lines 32-41 (Berstis’ system reformats the message and “automatically takes the necessary corrective action....For example, if typically the applications sends an error that results in a message being displayed along with an OK button in a window, the hook function will sent the appropriate response to the application indicating that the OK button has been depressed.”).

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Amdt. dated July 5, 2005  
Reply to Office Action of April 20, 2005

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Wesley L. Austin", written over a horizontal line.

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